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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,174	07/13/2006	Kyung-Hwan Kim	NEW.830001.US0	7128
26582	7590	04/23/2009		
HOLLAND & HART, LLP P.O BOX 8749 DENVER, CO 80201			EXAMINER MCMILLAN, JESSICA L	
			ART UNIT 2875	PAPER NUMBER
			MAIL DATE 04/23/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/597,174

Applicant(s)

KIM, KYUNG-HWAN

Examiner

JESSICA L. MCMILLAN

Art Unit

2875

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claim 6 is objected to because of the following informalities:

Regarding claim 6, lines 3 and 4 of the claim, "the transparent units" should be changed to "the transport unit" because only transport units are claimed in independent claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schneider (US 6,435,698 B1)** in view of **Heyer (US 2,659,038)**.

Regarding claims 1-4 and 7-8, Schneider (US 6,435,698 B1) discloses a track-movable lighting system comprising: a track (see figure 1) fixedly installed on a ceiling of a structure; a plurality of transport units (see abstract of Schneider) installed on the track, lighting devices (80) respectively installed on the transport units so that the lighting devices can move together with the movement of the transport units, control devices (column 4, lines 32-42), a plurality of wheels (71) and a motor (63), a trolley (70) and current collectors (72) but is silent about a plurality of trolley bars arranged in series.

Heyer discloses a automatic illumination system comprising a plurality of lamp units (15, 16), a track and a plurality of trolley bars (57) arranged in series (see figure 2) to provide power. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a plurality of trolley bars in the lighting system of Schneider as taught by Heyer in order to provide power to the lighting devices so that movement of the lighting devices can be achieved.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Schneider (US 6,435,698 B1)** and **Heyer (US 2,659,038)** as applied to claim 1 above and further in view of **Fruhm et al. (US 6,769,790 B2)**.

Schneider and Heyer disclose the track-movable lighting system as set forth in claim 1 but are silent the control devices include a personal computer. Fruhm et al. disclose a lighting system with movable lights that are movable along tracks (10 and 12) and controlled by computers (see column 2, lines 34-45). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use personal computers as control devices in the lighting system of Schneider as taught by Fruhm et al. in order to best control the functions of the lighting system.

Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schneider (US 6,435,698 B1)** and **Heyer (US 2,659,038)** as applied to claim 1 above and further in view of **Sommer (US 6,234,317 B1)**.

Schneider and Heyer disclose the track-movable lighting system as set forth in claim 1 but are silent about equipment for maintaining and cleaning the lighting device (claims 9 and 10) and dust protective covers (claim 11). Sommer discloses a lighting

device (23) comprising a brush for cleaning dust from the illumination device and a cover of air-permeable foil to protect from dust (23; column 4, lines 25-34). It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a cleaner and protective covers in the lighting system of Schneider as taught by Sommer in order to prevent dust and dirt buildup on the system.

Response to Arguments

Applicant's arguments with respect to claims 1-4 and 6-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSICA L. MCMILLAN whose telephone number is (571) 272-5510. The examiner can normally be reached on 8:00 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sandra L. O'Shea/
Supervisory Patent Examiner, Art
Unit 2875

JLM
April 21, 2009